



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

via UPS

George Quinlan, President
Blue Ridge Solvents & Coatings, Inc.
3800 Original Henry Road
P.O. Box 759
Henry, VA 24102

Re: Request for Information Pursuant to Section 3007(a) of the Resource
Conservation and Recovery Act, 42 U.S.C. § 6927(a), Regarding Generation and
Management of Hazardous Waste by Blue Ridge Solvents & Coatings, Inc.
EPA ID No. VAR000503656
Reference Number: C16-020

Dear Mr. Quinlan:

The U.S. Environmental Protection Agency, Region III ("EPA") is requesting information to supplement the observations recored during its inspection of the Blue Ridge Solvents & Coatings, Inc. facility ("BRSC" or "the facility") located in Henry, VA on May 10, 2016 (report narrative and photographic log enclosed). EPA is requesting this information pursuant to the authority granted to it under Section 3007(a) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6927(a), which provides in relevant part that "any person who generates, stores, treats, transports, disposes of, or otherwise handles or has handled hazardous wastes shall, upon request of any officer, employee or representative of the Environmental Protection Agency, duly designated by the Administrator, . . . furnish information relating to such wastes" EPA hereby requires that you furnish to EPA, within **thirty (30) calendar days** of receipt of this letter, the information requested below, including all documents responsive to such request.

For each and every request, if you have any reason to believe that there may be a person(s) who may be able to provide a more detailed or complete response to such request or provide additional responsive documents, then as a part of your response to such request, identify each such person and the additional information or documents which such person may be able to provide. Furthermore, for each and every response, if information or documents responsive to such request are not in your possession, custody or control, then as part of your response to such request, identify each person from whom such information or documents may be obtained.

Please provide a separate narrative response to each information request. Precede each

answer with the number of the question or letter of the subpart of the request to which it corresponds. A request for documents shall be construed as a request for any and all documents maintained by you or in your custody, control, or possession or in the possession, custody or control of any of your employees or agents, relating to the matters described below. All copies of documents submitted to EPA in response to the following requests must be complete and legible.

As used herein, the term "document" means: writings (handwritten, typed or otherwise produced or reproduced) and includes, but is not limited to, any invoices, checks, receipts, bills of lading, weight receipts, toll receipts, correspondence, offers, contracts, agreements, deeds, leases, manifests, licenses, permits, bids, proposals, policies of insurance, logs, books of original entry, minutes of meetings, memoranda, notes, calendar or daily entries, agendas, bulletins, notices, announcements, charts, maps, photographs, drawings, manuals, brochures, reports of scientific study or investigation, schedules, price lists, telegrams, teletypes, phonograph records, magnetic voice or video records, tapes, summaries, magnetic tapes, punch cards, recordings, discs, computer print outs, or other data compilations from which information can be obtained or translated.

All other terms used in this request for information that are defined in RCRA, 42 U.S.C. §§ 6901 *et seq.*, 40 C.F.R. Parts 260-266, 268, and 273 (1998 ed.), or 25 Pa. Code Chapters 260a-266a, 266b, and 268a (effective May 1, 1999) shall have the meanings set forth therein.

Please provide the information requested below:

Information Request

1. At the time of the inspection five 55gal drums were found in Quad 1 labeled as containing isopropyl alcohol (IPA) from Pall Life Sciences (see Photographs 8, 9, 13 & 14 in enclosed inspection report). Regarding **each** of these drums, please provide the following:
 - a. A description of its contents and source of the material, including associated MSDS if available
 - b. Its date of generation and date received by BRSC
 - c. Provide copies of all bills of lading, manifests (including but not limited to hazardous waste manifests), shipping invoices, and LDR notices and certifications that accompanied and/or refer to BRSC's acceptance of this material.
 - d. State whether a "waste determination" and "LDR determination" has been made for the material
 - e. If a "waste determination" and "LDR determination" has been made, state when such a determination(s) was made and the results of such determination(s)

- f. If the material has been determined to be "hazardous waste," please state the specific EPA Hazardous Waste Code(s) associated with each such hazardous waste. If it has been determined not to be hazardous waste, explain the reasons for such determination.
 - g. State whether any hazardous waste determination made for such material was based on the generator's knowledge of the process that generated the material, or upon analytic results. If a determination was made on the basis of process knowledge, describe the scientific rationale for such a determination. If the determination was based on analytical results, describe the sampling procedures and provide copies of any and all such results.
 - h. Please state if the material has been shipped off-site and the date and method of such shipment(s). If it has not been shipped off-site, state its current location and explain why it has not been shipped off-site.
 - i. If the material was shipped off-site, provide copies of all bills of lading, manifests (including but not limited to hazardous waste manifests), shipping invoices, and LDR notices and certifications that accompanied and/or refer to each off-site shipment of this material.
2. Records of previous shipments of IPA from Pall Life Sciences were also found, including several Bills of Lading from 2015 and 2016, summarized in the following table:

Date	IPA Amount	"PRO" Number under bar code
5/2/16	1,200 lbs	109-9025283
3/25/16	800 lbs	109-9024907
3/3/16	800 lbs	109-0347729
2/16/16	400 lbs	109-9024774
1/29/16	2,000 lbs	109-9023707
12/21/15	400 lbs	109-9023458
11/20/15	4,800 lbs	109-9023337
11/5/15	2,000 lbs	109-9023273
10/19/15	800 lbs	109-9023189
9/2/15	2,000 lbs	109-9021485

For **each** of the shipments listed above, please provide the following information:

- a. Specify the percentage(s) of IPA present in the shipped containers upon receipt.
- b. If any other constituents were present in the containers besides IPA and water, please state which constituents were present, their percentages or amounts, and how the facility determined their presence (e.g., noted on the label by Pall Life Sciences, analyzed by BRSC, etc.)

- c. Describe what happened to each container in the shipment after it was received:
 - i. Was the material resold without any processing by BRSC? If so, please state the amount of material sold, date(s) of sale, and name of buyer.
 - ii. Was the material processed in any way by BRSC, such as by adding water, IPA, or other components to the material; processing through an onsite recovery unit; or any other onsite process? If so, please describe all processing conducted on the material, the amount of material processed and the ultimate destination for the material.
 - iii. Was the material reused in any product(s) manufactured by BRSC? If so, please state the amount of material used, what product(s) it was incorporated into, and the ultimate destination for the material.
3. Also in Quad 1 a pallet was found with several 20-liter containers wrapped in plastic (Photo 15). Regarding the contents of these containers, please provide the following information:
 - a. A description of the contents and source of the material, including associated MSDS if available
 - b. Its date(s) of generation and date received by BRSC
 - c. Provide copies of all bills of lading, manifests (including but not limited to hazardous waste manifests), shipping invoices, and LDR notices and certifications that accompanied and/or refer to BRSC's acceptance of this material.
 - d. State whether a "waste determination" and "LDR determination" has been made for the material
 - e. If a "waste determination" and "LDR determination" has been made, state when such a determination(s) was made and the results of such determination(s)
 - f. If the material has been determined to be "hazardous waste," please state the specific EPA Hazardous Waste Code(s) associated with each such hazardous waste. If it has been determined not to be hazardous waste, explain the reasons for such determination.
 - g. State whether any hazardous waste determination made for such material was based on the generator's knowledge of the process that generated the material, or upon analytic results. If a determination was made on the basis of process knowledge, describe the scientific rationale for such a determination. If the determination was based on analytical results, describe the sampling procedures and provide copies of any and all such results.

- h. Please state if the material has been shipped off-site and the date and method of such shipment(s). If it has not been shipped off-site, state its current location and explain why it has not been shipped off-site.
 - i. If the material was shipped off-site, provide copies of all bills of lading, manifests (including but not limited to hazardous waste manifests), shipping invoices, and LDR notices and certifications that accompanied and/or refer to each off-site shipment of this material.
4. Along the back wall of Quad 1 several pallets were found holding containers of materials received from Valspar (Photos 35 - 38). Regarding these containers, please provide the following information:
- a. Date(s) the containers were received
 - b. Initial number of containers and amount of material received
 - c. For **each** year the containers have been onsite, state the number of containers and amount of material present onsite on January 1 of that year.
 - d. If any of these containers were removed from this area in Quad 1 and used onsite, please state how the facility managed its contents.
 - e. If any of these containers were disposed of or otherwise removed from the facility without being used by BRSC, please provide the following:
 - i. State whether a "waste determination" and "LDR determination" has been made for the material
 - ii. If a "waste determination" and "LDR determination" has been made, state when such a determination(s) was made and the results of such determination(s)
 - iii. If the material has been determined to be "hazardous waste," please state the specific EPA Hazardous Waste Code(s) associated with each such hazardous waste. If it has been determined not to be hazardous waste, explain the reasons for such determination.
 - iv. State whether any hazardous waste determination made for such material was based on the generator's knowledge of the process that generated the material, or upon analytic results. If a determination was made on the basis of process knowledge, describe the scientific rationale for such a determination. If the determination was based on analytical results, describe the sampling procedures and provide copies of any and all such results.

- v. Please state if the material has been shipped off-site and the date and method of such shipment(s). If it has not been shipped off-site, state its current location and explain why it has not been shipped off-site.
 - vi. If the material was shipped off-site, provide copies of all bills of lading, manifests (including but not limited to hazardous waste manifests), shipping invoices, and LDR notices and certifications that accompanied and/or refer to each off-site shipment of this material.
- 5. At the time of the inspection a double-stacked row of 53 drums were found jutting from the west wall of Quad 2 (Photos 52 - 58). Regarding **each** of these drums, please provide the following (in your response, you may group similar drums):
 - a. A description of its contents and source of the material
 - b. Its date of generation
 - c. State whether a "waste determination" and "LDR determination" has been made for the material
 - d. If a "waste determination" and "LDR determination" has been made, state when such a determination(s) was made and the results of such determination(s)
 - e. If the material has been determined to be "hazardous waste," please state the specific EPA Hazardous Waste Code(s) associated with each such hazardous waste. If it has been determined not to be hazardous waste, explain the reasons for such determination.
 - f. State whether any hazardous waste determination made for such material was based on the generator's knowledge of the process that generated the material, or upon analytic results. If a determination was made on the basis of process knowledge, describe the scientific rationale for such a determination. If the determination was based on analytical results, describe the sampling procedures and provide copies of any and all such results.
 - g. Please state if the material has been shipped off-site and the date and method of such shipment(s). If it has not been shipped off-site, state its current location and explain why it has not been shipped off-site.
 - h. If the material was shipped off-site, provide copies of all bills of lading, manifests (including but not limited to hazardous waste manifests), shipping invoices, and LDR notices and certifications that accompanied and/or refer to each off-site shipment of this material.

6. Also in Quad 2, in the area referred to as "Epoxy" storage, four groups of similarly-labeled containers were found:

- I. One pallet holding about ten smaller, rusty containers labeled "Max Pox 15" (Photos 61 & 62)
- II. 28 approximately 5gal containers on a pallet -- about half of these were labeled "Max Pox Thixotropic Epoxy Resin," while the other half appeared unlabeled (Photos 63 & 64)
- III. One pallet holding 14 containers labeled "Maxpox 32 NH" (Photos 65 - 67)
- IV. Two pallets holding about 25 cardboard boxes labeled as "Sika Robotics Epoxypachtel B" (Photos 68 - 70)

For **each** of the above four groups of containers, please provide the following information:

- a. Description of the material, including associated MSDS if available
- b. Date(s) the containers were received
- c. Initial number of containers and amount of material received
- d. Provide copies of all bills of lading, manifests (including but not limited to hazardous waste manifests), shipping invoices, and LDR notices and certifications that accompanied and/or refer to BRSC's acceptance of this material.
- e. For **each** year the containers have been onsite, state the number of containers and amount of material present onsite on January 1 of that year.
- f. If any of these containers were removed from this area in Quad 2 and used onsite, please state how the facility managed its contents.
- g. If any of these containers were disposed of or otherwise removed from the facility without being used by BRSC, please provide the following:
 - i. State whether a "waste determination" and "LDR determination" has been made for the material
 - ii. If a "waste determination" and "LDR determination" has been made, state when such a determination(s) was made and the results of such determination(s)
 - iii. If the material has been determined to be "hazardous waste,"

please state the specific EPA Hazardous Waste Code(s) associated with each such hazardous waste. If it has been determined not to be hazardous waste, explain the reasons for such determination.

- iv. State whether any hazardous waste determination made for such material was based on the generator's knowledge of the process that generated the material, or upon analytic results. If a determination was made on the basis of process knowledge, describe the scientific rationale for such a determination. If the determination was based on analytical results, describe the sampling procedures and provide copies of any and all such results.
- v. Please state if the material has been shipped off-site and the date and method of such shipment(s). If it has not been shipped off-site, state its current location and explain why it has not been shipped off-site.
- vi. If the material was shipped off-site, provide copies of all bills of lading, manifests (including but not limited to hazardous waste manifests), shipping invoices, and LDR notices and certifications that accompanied and/or refer to each off-site shipment of this material.

7. In the center of Quad 4 several 55gal drums were found:
- i) One labeled as "NC-62 Red Squeegee Lacquer" (Photo 78 on left),
 - ii) One labeled as "NC-259 Black Squeegee Lacquer" (Photo 78 on right),
 - iii) One labeled as "Butyl Acetate NG" (Photo 79),
 - iv) One labeled as "MSC-214 Fish Eye Eliminator" (Photo 80),
 - v) One labeled as "Urotuf M21-X-40" (Photo 82), and
 - vi) One labeled as "Diesel Fuel Anticoagulant Additive" (Photo 83).

Regarding the contents of **each** of these drums numbered i-vi above, please provide the following:

- a. A description of its contents, including associated MSDS if available
- b. Its date of generation
- c. State whether a "waste determination" and "LDR determination" has been made for the material
- d. If a "waste determination" and "LDR determination" has been made, state when such a determination(s) was made and the results of such determination(s)
- e. If the material has been determined to be "hazardous waste," please state the

specific EPA Hazardous Waste Code(s) associated with each such hazardous waste. If it has been determined not to be hazardous waste, explain the reasons for such determination.

- f. State whether any hazardous waste determination made for such material was based on the generator's knowledge of the process that generated the material, or upon analytic results. If a determination was made on the basis of process knowledge, describe the scientific rationale for such a determination. If the determination was based on analytical results, describe the sampling procedures and provide copies of any and all such results.
 - g. Please state if the material has been shipped off-site and the date and method of such shipment(s). If it has not been shipped off-site, state its current location and explain why it has not been shipped off-site.
 - h. If the material was shipped off-site, provide copies of all bills of lading, manifests (including but not limited to hazardous waste manifests), shipping invoices, and LDR notices and certifications that accompanied and/or refer to each off-site shipment of this material.
8. In the Quad 3 "New Production Room" a flammables container was found labeled as "Dirty Rags" (Photos 84 & 85). Regarding this container, please provide the following:
- a. A description of its source
 - b. Its date of generation
 - c. State whether a "waste determination" and "LDR determination" has been made for the contents
 - d. If a "waste determination" and "LDR determination" has been made, state when such a determination(s) was made and the results of such determination(s)
 - e. If the material has been determined to be "hazardous waste," please state the specific EPA Hazardous Waste Code(s) associated with each such hazardous waste. If it has been determined not to be hazardous waste, explain the reasons for such determination.
 - f. State whether any hazardous waste determination made for such material was based on the generator's knowledge of the process that generated the material, or upon analytic results. If a determination was made on the basis of process knowledge, describe the scientific rationale for such a determination. If the determination was based on analytical results, describe the sampling procedures and provide copies of any and all such results.
 - g. Please state if the material has been shipped off-site and the date and method of

such shipment(s). If it has not been shipped off-site, state its current location and explain why it has not been shipped off-site.

- h. If the material was shipped off-site, provide copies of all bills of lading, manifests (including but not limited to hazardous waste manifests), shipping invoices, and LDR notices and certifications that accompanied and/or refer to each off-site shipment of this material.
9. On the other side of Quad 3 the facility's tank farm was observed, which held eight tanks numbered 21, 22, and 30 through 35 (Photos 94-96). For **each** of these tanks, please provide the following information as of the date of the inspection:
- a. A description of its contents, including associated MSDS if available
 - b. The volume of material in the tank at the time of inspection
 - c. State whether a "waste determination" and "LDR determination" has been made for the material
 - d. If a "waste determination" and "LDR determination" has been made, state when such a determination(s) was made and the results of such determination(s)
 - e. If the material has been determined to be "hazardous waste," please state the specific EPA Hazardous Waste Code(s) associated with each such hazardous waste. If it has been determined not to be hazardous waste, explain the reasons for such determination.
 - f. State whether any hazardous waste determination made for such material was based on the generator's knowledge of the process that generated the material, or upon analytic results. If a determination was made on the basis of process knowledge, describe the scientific rationale for such a determination. If the determination was based on analytical results, describe the sampling procedures and provide copies of any and all such results.
 - g. Please state if the material has been shipped off-site and the date and method of such shipment(s). If it has not been shipped off-site, state its current location and explain why it has not been shipped off-site.
 - h. If the material was shipped off-site, provide copies of all bills of lading, manifests (including but not limited to hazardous waste manifests), shipping invoices, and LDR notices and certifications that accompanied and/or refer to each off-site shipment of this material.
10. In another area of Quad 3 the facility's recovery unit, referred to as "Rocket," was observed (Photo 100). In front of this unit an open pail was found, containing liquid (Photos 101 & 101). Regarding this container, please provide the following:

- a. A description of its source
 - b. Its date of generation
 - c. State whether a "waste determination" and "LDR determination" has been made for the contents
 - d. If a "waste determination" and "LDR determination" has been made, state when such a determination(s) was made and the results of such determination(s)
 - e. If the material has been determined to be "hazardous waste," please state the specific EPA Hazardous Waste Code(s) associated with each such hazardous waste. If it has been determined not to be hazardous waste, explain the reasons for such determination.
 - f. State whether any hazardous waste determination made for such material was based on the generator's knowledge of the process that generated the material, or upon analytic results. If a determination was made on the basis of process knowledge, describe the scientific rationale for such a determination. If the determination was based on analytical results, describe the sampling procedures and provide copies of any and all such results.
 - g. Please state if the material has been shipped off-site and the date and method of such shipment(s). If it has not been shipped off-site, state its current location and explain why it has not been shipped off-site.
 - h. If the material was shipped off-site, provide copies of all bills of lading, manifests (including but not limited to hazardous waste manifests), shipping invoices, and LDR notices and certifications that accompanied and/or refer to each off-site shipment of this material.
11. In the Shop building two fluorescent lamps were found in two open containers (Photo 107). Regarding **each of these lamps**, please provide the following information:
- a. At the time of the inspection was the lamp spent, new, or in use? If spent, please answer the following:
 - b. Initial date of accumulation
 - c. Please state if the lamp has been shipped off-site and the date and method of such shipment(s). If it has not been shipped off-site, state its current location and explain why it has not been shipped off-site.
 - d. If the lamp was shipped off-site, provide copies of all bills of lading, manifests (including but not limited to hazardous waste manifests), shipping invoices, and

LDR notices and certifications that accompanied and/or refer to each off-site shipment of this lamp.

12. In reviewing the facility's HW manifests, no TSD-signed returned copy could be found for Manifest #000191805MWI, regarding a 6/2/15 shipment of HW to Giant Resource Recovery in Sumter, SC.
 - a. At the time of the inspection was the facility retaining a TSD-signed manifest pertaining to this shipment? If so, please submit a copy of the manifest.
 - b. If the facility was not retaining such a copy, has a TSD-signed manifest for that shipment been obtained since the date of the inspection? If so, please submit a copy of the manifest and state the date when it was obtained by the facility.
 - c. Has the facility sent an Exception Report, as described in 40 C.F.R. § 262.42, to the Virginia Department of Environmental Quality regarding the shipment? If so, please state the date the report was sent and provide a copy.
13. In reviewing the facility's RCRA training records, no evidence was found that Mr. Davis Philpott, listed by the facility as requiring RCRA training, received such training for the years 2013 or 2014. Did the facility provide RCRA annual refresher training to Mr. Philpott for the years 2013 and 2014? If so, please state the date(s) the training was provided to him and provide copies of any related documentation, such as sign-in sheets or certificates.

The provisions of Section 3008 of RCRA, 42 U.S.C. § 6928, authorize EPA to pursue penalties for failure to comply with or respond adequately to an information request under Section 3007(a) of RCRA. In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001. The information you provide may be used by EPA in administrative, civil or criminal proceedings. **Your response must include the signed and dated certification found on the final page of this letter.**

With regard to the Small Business Regulatory Enforcement and Fairness Act ("SBREFA"), please see the "Information for Small Businesses" memo, enclosed, which might be applicable to your facility. This enclosure provides information on contacting the SBREFA Ombudsman to comment on federal enforcement and compliance activities and also provides information on compliance assistance. As noted in the enclosure, any decision to participate in such program or to seek compliance assistance does not relieve your facility of its obligation to respond in a timely manner to an EPA request or other enforcement action, create any rights or defenses under law, and will not affect EPA's decision to pursue an enforcement action. To preserve your facility's legal rights, you must comply with all rules governing the administrative enforcement process. The Ombudsman and fairness boards do not participate in the resolution of EPA's enforcement actions. EPA has not made a determination as to whether or not your facility is covered by SBREFA.

Your facility is entitled to assert a claim of business confidentiality covering any part or all of the information submitted, in a manner described in 40 C.F.R. § 2.203(b). Information subject to a claim of business confidentiality will be made available to the public only in accordance with 40 C.F.R. Part 2, Subpart B. Unless a claim of business confidentiality is asserted at the time the requested information is submitted, EPA may make this information available to the public without further notice to your facility.

This request for information is not subject to review by the Office of Management and Budget pursuant to the Paperwork Reduction Act, 44 U.S.C. §§ 3501-3520.

Please send your response to:

Martin Matlin (3LC70)
U.S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

If you have any questions concerning this matter, or require additional time to respond, please contact Mr. Matlin at (215) 814-5789.

Sincerely,



Carol Amend, Associate Director
Land and Chemicals Division
Office of Land Enforcement

Enclosures

cc: Martin Matlin (3LC70) w/o enc.
Pauline Belgiovane (3LC70)

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

I certify that the information contained in this response to EPA's request for information and the accompanying documents is true, accurate and complete. As to the identified portions of this response for which I cannot personally verify their accuracy, I certify under penalty of law that this response and all attachments were prepared in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

NAME (print or type)

SIGNATURE

DATE

